

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Cesar Inez Delatorre

Docket No. 5:09-CR-242-1D

**Petition for Action on Supervised Release**

COMES NOW Maurice J. Foy, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Cesar Inez Delatorre, who, upon an earlier plea of guilty to Distribution of More Than 5 Grams of Cocaine Base (Crack), 21 U.S.C. § 841(a)(1), was sentenced by the Honorable James C. Dever III, U.S. District Judge, on March 1, 2010, to the custody of the Bureau of Prisons for a term of 84 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Cesar Inez Delatorre was released from custody on July 12, 2016, at which time the term of supervised release commenced.

On October 3, 2016, a Petition for Action on Supervised Release was submitted informing the court that defendant was dealing with mental health issues (seeing things/hearing voices) and sought out mental health treatment through the probation office. As a result, the probation office recommended that a mental health condition be added so that the probation office could pay for the defendant's mental health treatment. The court concurred.

On April 19, 2018, in Wake County, North Carolina, it was alleged that the defendant committed the offense of Misdemeanor Simple Assault. The probation office recommended that this case be allowed to resolve itself in state court without any court action taken at this time and if the defendant is found guilty of this charge, the probation office would provide a new recommendation to the court addressing this non-compliance. The court concurred. This case remains pending.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

During an office visit on October 16, 2018, the defendant admitted to using marijuana on October 14, 2018. The defendant was verbally reprimanded for his poor decision to use an illegal substance. He was then placed back into the Surprise Urinalysis Program and in substance abuse treatment. As a result of this non-compliance, the probation office is recommending that Mr. Delatorre be required to perform 20 hours of community. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall perform 20 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/Jeffrey L. Keller  
Jeffrey L. Keller  
Supervising U.S. Probation Officer

/s/Maurice J. Foy  
Maurice J. Foy  
Sr. U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 919-861-8678  
Executed On: October 19, 2018

#### ORDER OF THE COURT

Considered and ordered this 25 day of October, 2018, and ordered filed and  
made a part of the records in the above case.

J.C. Dever  
James C. Dever III  
U.S. District Judge